

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled *SNAP-ON, SCREW-OFF CAP WITH TAMPER-EVIDENCING SKIRT AND CONTAINER NECK*, the specification of which

(check
one) ☐ is attached hereto.

☒ was filed on May 1, 1998 as
Application Serial No. 09/071,625

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code; §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/781,453</u>	<u>01/10/97</u>	<u>PENDING</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

<u>08/456,741</u>	<u>06/01/95</u>	<u>PENDING</u>
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(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>08/029,177</u>	<u>03/10/93</u>	<u>NOW PATENT 5,456,376</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>07/830,133</u>	<u>01/31/92</u>	<u>NOW PATENT 5,267,661</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>07/772,945</u>	<u>10/08/91</u>	<u>NOW PATENT 5,213,224</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>07/565,638</u>	<u>08/09/90</u>	<u>NOW PATENT 5,190,178</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

Direct all telephone calls to Janet E. Muller at (650) 494-8700.

Address all correspondence to:

Janet E. Muller
FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111

File No. A-52864-10/JC/JEM

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first inventor:

Daniel Luch

Inventor's signature:

Daniel Luch

Date:

May 15, 1998

Residence:

Morgan Hill, California

Citizenship:

United States

Post Office Address:

890 Faulstich Court, San Jose, CA 95112

A-52864-10/30, JEM

AUGUST 19, 1998

PTAS
FLEHR HOHBACH TEST ALBRITTON ET AL
JANET E. MULLER
SUITE 3400 FOUR EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4187



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



100740318A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/27/1998

REEL/FRAME: 9236/0202
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LUCH, DANIEL

DOC DATE: 05/22/1998

ASSIGNEE:

PORTOLA PACKAGING, INC.
890 FAULSTICH COURT
SAN JOSE, CALIFORNIA 95112

SERIAL NUMBER: 09071525
PATENT NUMBER:

FILING DATE: 05/01/1998
ISSUE DATE:

ANNIE HARRELL, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

100740318

To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original document or copy thereof.

1. Name of conveying party(ies):

Daniel Luch

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: May 22, 1998

2. Name and address of receiving party(ies):

Name: Portola Packaging, Inc.

Internal Address:

Street Address: 890 Faulstich Court

City: San Jose, California

Country: U.S.

Zip: 95112

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 09/071,625

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/071,625

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Janet E. Muller
Internal Address: FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLPStreet Address: SUITE 3400
FOUR EMBARCADERO CENTER
City: SAN FRANCISCO
State: CA Zip: 94111-4187

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number: 06-1300

Please debit any underpayment or credit any overpayment to the above deposit account.

Our Order No. A-52864-10/JC/JEM

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Janet E. Muller
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and documents: [4]

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:
Honorable Commissioner of Patents and Trademarks, Box Assignments
Washington, DC 20231

File No. A-52864-10/JC/JEM

Rev. 8/93 (110449)

6/15/1998 TTM11
1 FC-581

ASSIGNMENT

WHEREAS, the undersigned, Daniel Luch, (hereinafter termed "Inventor"), resident of Morgan Hill, County of Santa Clara, State of California, has invented certain new and useful improvements in *SNAP-ON, SCREW-OFF CAP WITH TAMPER EVIDENCING SKIRT AND CONTAINER NECK*, and has filed U. S. Patent Application Serial No. 09/071,625 on May 1, 1998 therefor; and

WHEREAS, Portola Packaging, Inc., a corporation of the State of Delaware , having a place of business at San Jose, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventor hereby covenants and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventor shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths,

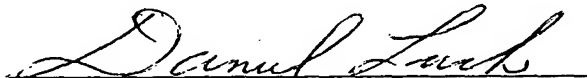
specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, his heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that he has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee this

22nd day of May, 1998,



Daniel Luch

County of Santa Clara

)

) ss.

State of California

)

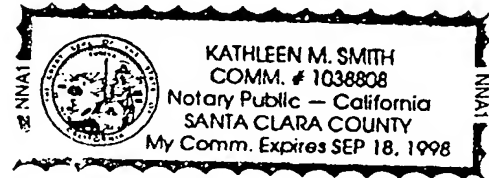
On this 22nd day of May, in the year 1998, before me, KATHLEEN M. SMITH, Notary Public of the State of California, personally appeared Daniel Luch, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person whose name is subscribed to the

within instrument, and acknowledged that he executed the same in his authorized capacity(ies), and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Kathleen M. Smith

(Seal)



REGISTRATION FORM COVER SHEET

PATENTS ONLY

To the Honorable Assistant Commissioner for Patents and Trademarks. Please record the attached original documents or copy thereof.

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ALBRITTON & HERBERT LLP

Street Address: SUITE 3400

FOUR EMBARCADERO CENTER

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☒ Enclosed

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8. Deposit account number: 06-1300

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Janet E. Muller

Name of Person Signing

Janet E. Muller
Signature

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